

Addendum to the City of Columbus and Smithville Digital Conduit System Agreement

This is an addendum to the agreement signed by the Parties on 25 September, 2007.

Effective the 22nd day of December 2009, Smithville Digital will install fiber optic cable in the primary conduit of the Brown St. conduit expansion, a component the Multi Route RFP issued by the City of Columbus and its Technical Advisory Committee, and will offer Fiber Optic Network Services to businesses located along the Brown St. conduit expansion as well as to businesses within the City of Columbus. More particularly, the Brown St. conduit expansion can be described as:

- Two (2) empty four (4) inch HDPE conduits that originate at a Greater Columbus Conduit System handhole located in the utility easement at the intersection of 5th St. and Brown St., continue north along Brown St. to a Greater Columbus Conduit System handhole at the intersection of Brown St. and 8th St., and terminate in a Greater Columbus Conduit System handhole located in the utility easement on the north side of 11th St.

Smithville Digital will use commercially reasonable efforts to provide such services in an efficient manner using appropriate technology.

Smithville Digital will provide the City of Columbus with ten (10) percent of the revenues generated from the services provided over this new section of the network. Smithville Digital will add \$76.00/month to the guaranteed minimum monthly payment that is currently \$2,900/month bringing the total to \$2976/month. This increase in the guaranteed minimum payment to the City of Columbus is \$4560 each five year period. The increase is a pro-rata increase based on overall mileage of the City of Columbus conduit system. Additionally this payment is subject to increase per the existing contract.

Smithville Digital, LLC

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Title/Date: President 12/14/09

City of Columbus by its Board of Public Works

By: Fred L. Armstrong

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Title/Date: MAYOR 12-22-09

By: Judy Johns Jackson

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Title/Date: Member 12-22-07

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